

Minutes of September 26, 2008 Public Policy Committee

IDAHO COUNCIL ON DEVELOPMENTAL DISABILITIES

PUBLIC POLICY COMMITTEE MEETING

Friday, September 26, 2008

1:00p.m. – 5:00 p.m

802 W. Bannock, Suite 302, Boise

Committee Members Present: James Steed - Chair, Jim Baugh,
Shiloh Blackburn, Julie Fodor, Bob Jackson,
Corinne Johnson, Joni Sullivan

Committee Members Absent: Jo Lynn Garrison,

Council Staff: Tracy Warren, Marilyn Sword, Samantha Wallace

AGENDA ITEM	MINUTES
Perfection of Agenda Announcements	The agenda was reviewed by the committee. Marilyn Sword suggested adding VR Rules and the ISSH name change to the agenda. Tracy announced that the ADA amendments passed.
Approval of Minutes	Bob Jackson moved for Unanimous Consent to accept minutes for July 24, 2008. Corinne Johnson seconded the motion. There were no objections, the minutes were approved.
Review decision-making process	James Steed gave an explanation of the three priorities. The committee was in understanding of the process.
<u>State Issues</u> Health Care Decisions	<u>Health Care Decisions</u> Jim Baugh discussed the proposed changes to Title 39. Jim explained that the addition in section 2 is something that most people agree with, but that there are many who do not want it in the statute. Jim explained that in emergency situations doctors can treat without consent (a section on this exists). Jim also discussed the proposed addition in section 7 (in Title 66) about withholding treatment when certain conditions apply.
<u>State Issues</u>	<u>Changes to DD Guardianship Statute</u>

<p>HCBS Provider Rates (cont'd)</p> <p>Action <input type="checkbox"/></p>	<p>methodology. DHW has put in their budget \$11.6 million (\$3.84 million is state, remainder is federal) for rate increases for services. The providers would like our support to approve the rate structure, to assure adequate funding, and to establish rates to support state living wage for direct care staff. Also, they would like us to speak with legislators and mobilize participants to talk to legislative committees, etc. Past committees have been confused about the different rates/services.</p> <p>Corinne Johnson moved for unanimous consent to support the development of a rate methodology and increase to HCBS provider rates and to put it on the legislative slate as a priority 2. Jim Baugh seconded. There were no objections. The motion carried.</p>
<p>School-based Medicaid Services</p>	<p><u>School-Based Medicaid Services</u></p> <p>Jim Baugh updated the committee on the suit that Co-Ad brought against DHW for preliminary injunction. They reached an agreement to not implement the information release. All letters and FAQ's are now superseded. Medicaid admitted that the terms of the information release violated federal law. There are questions about Medicaid determining the place of service or limiting who can provide services. Jim explained that this agreement is temporary and that the lawsuit has not been resolved.</p>
<p>ISSH Name change</p>	<p><u>ISSH Name Change</u></p> <p>Marilyn Sword gave the update on this. Changes to this bill would amend many sections-anywhere ISSH is mentioned. The new name would be "Southwest Idaho Treatment Center".</p>
<p>Action <input type="checkbox"/></p>	<p>Bob Jackson moved for unanimous consent to monitor the ISSH name change legislation and keep as Priority 3. Corinne Johnson seconded. There were no objections. The motion carried</p>

Criminal History Background Checks

Vocational Rehabilitation Rules

Action ☐

Accessible Parking

Action ☐

Tracy talked about proposed rules to increase the rate for DHW Criminal History Background Checks to \$55.00 to cover the cost of the checks. Julie Fodor talked about the fact that people are not able to transfer criminal history background checks between agencies. If you get a background check for one position, it does not necessarily transfer to another position/agency. The committee suggested we find out more about the process for sharing background information between agencies.

Marilyn Sword gave a review of the VR Rules. She explained that although the intent of the rules is to meet legislative recommendations for more oversight of the program, these rules do not do that. They may jeopardize consumer choice if they create a hardship on small for-profit providers. The types of services provided are the same regardless of type of provider and the focus for accountability should be on the customer satisfaction and outcomes.

Bob Jackson moved for unanimous consent to oppose the VR rules and set it as priority 2. Shiloh Blackburn seconded. There were no objections. The motion carried.

The SILC along with a committee is trying to make changes to accessible parking. They want to increase the availability of Van accessible parking spaces, and make placards be renewable every 5 years. Tracy suggested that there also be a public awareness campaign around this issue.

Bob Jackson moved for unanimous consent to support the accessible parking legislation as priority 2. Corinne Johnson seconded. There were no objections. The motion carried.

<p>Legislative Reception</p>	<p>The committee discussed the possibility of holding a legislative reception in January 2009. Because of the cost of hosting a reception and the political climate considering the recent state budget hold-backs, the group decided that making visits to legislators at the Capitol Annex during the next Council meeting was the best solution for next year.</p>
<p>Secure Mental Health Facility update</p>	<p>Jim Baugh gave a brief update on the secure mental health facility stating that the Siting Committee met but no decision about location has been made. Jim is working on language for section 66-1305 of statute about who can be sent to the facility. Senator Stegner holds the power over this issue and does not support the bill Jim has suggested. The senator is open to an independent evaluation to determine if a person is significantly dangerous to be sent to the secure facility.</p>
<p><u>Federal Issues</u></p> <p>DD Appropriation</p> <p>Higher Education Opportunity Act</p>	<p><u>Federal</u></p> <p>DD appropriation will be part of continuing resolution.</p> <p>Tracy mentioned the information provided about the Higher Education Opportunity Act. This act has provisions that would benefit students with disabilities.</p>
<p><u>Future Agenda Items</u></p>	<p><u>Future Agenda Items</u></p> <p>Report/update on secure mental health facility</p> <p>Licensure/survey's of DDA's - Bob Jackson talked about the effect that licensure surveys of developmental disability agencies was having on his ability to access community-based services for his daughter in certain integrated settings. He suggested we find out if other parents are having difficulty getting services in various integrated community settings and if it might be due to a change in oversight/audit criteria or the way plans</p>

<p><u>Future Agenda Items</u></p> <p>2009 Legislative Slate</p>	<p>are written.</p> <p><u>Priority 1</u> Health Care Decisions/Title 39</p> <p><u>Priority 2</u> Health Care Decisions/Title 66 HCBS Provider Rates/Rate Methodology VR Rules-Shed Light Accessible Parking</p> <p><u>Priority 3</u> ISSH Name Change</p> <p>The meeting was adjourned at 5:00pm.</p>
---	--

